



Missouri Department of Natural Resources

PUBLIC NOTICE

DRAFT MISSOURI STATE OPERATING PERMIT

DATE: September 24, 2004

In accordance with the state Clean Water Law, Chapter 644, RSMo, Clean Water Commission regulation 10 CSR 20-6.010, and the federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years, unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to the Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: Peter Goode, Professional Engineer. Please include the permit number in all comment letters.

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Clean Water Commission, (see Curdtt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be postmarked by October 24, 2004 or received in our office by 5:00 p.m. on October 27, 2004. The requirement of a signed document makes it impossible to accept email comments for consideration at this time. Comments will be considered in the formulation of all final determinations regarding the applications. If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at DNR's website, <http://www.dnr.mo.gov/wpscd/wpcp/homewpcp.htm>, or at the Department of Natural Resources, Water Protection Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Public Notice Date: September 24, 2004

Permit Number: MO-R22B000

General Permit

FACILITY NAME AND ADDRESS

Various throughout the state.

NAME AND ADDRESS OF OWNER

Various throughout the state.

RECEIVING STREAM & LEGAL DESCRIPTION

Various throughout the state.

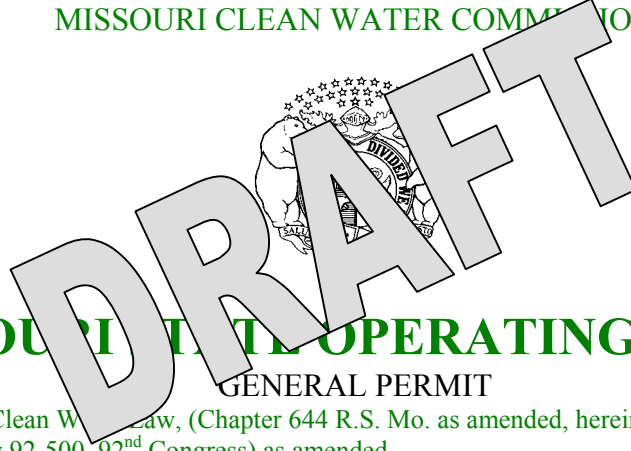
TYPE OF DISCHARGE

Industrial, wood treating operations

STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI WATER OPERATING PERMIT
GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

MO-R22B000

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

All Outfalls

Facilities engaged in wood treating operations, including but not limited to SIC code 2491.

This permit authorizes only including stormwater, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

Effective Date

Stephen M. Mahfood, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

Expiration Date
MO 780-0041 (10-93)

Jim Hull, Director of Staff, Clean Water Commission

APPLICABILITY

1. This permit authorizes the discharge of storm water runoff from facilities engaged in wood treating operations to waters of the State of Missouri. This permit applies to, but is not limited to, Standard Industrial Classification (SIC) code 2491.
2. This permit only applies to facilities that treat wood with at least one of the following chemicals: Creosote, Pentachlorophenol (PCP, Penta), Copper Napthenate, Ammoniacal Copper Arsenate (ACA), Chromated Copper Arsenate (CCA), Oxine Copper, Ammoniacal Copper Zinc Arsenate (ACZA), Acid Copper Chromate (ACC), Ammoniacal Copper Quat (ACQ). Facilities that treat wood with chemicals other than those listed above must obtain a site-specific permit.
3. Holders of current individual State Operating permits who desire to apply for inclusion under this general permit should contact the department for application requirements.
4. This permit does not authorize the discharge of waters other than storm water.
5. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner of a wood treating operation to apply for an individual State Operating Permit, the department may do so.
6. If at any time the owner of a wood treating operation should desire to apply for an individual State Operating permit, the owner may do so.
7. This permit **does not apply** to storm water discharges:
 - (a) Within 500 feet of streams identified as a losing stream*,
 - (b) Within 1,000 feet of streams or lakes listed as an outstanding national or state resource water*,
 - (c) Within 1,000 feet of reservoirs or lakes used for public drinking water supplies (class L1)*,
 - (d) Within 1,000 feet of streams, lakes, or reservoirs identified as critical for endangered species,
 - (e) Within 500 feet of intermittent streams or wetlands (class C or W)*,
 - (f) Within 100 feet of a permanent stream (class P)* or major reservoir (class L2)*,
 - (g) Within 1,000 feet of biocriteria reference locations*, or
 - (h) Where discharge is to a sinkhole or other direct conduit to groundwater.
8. Facilities that discharge directly to a combined sewer system are exempt from permit requirements.

* Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries and may be purchased from MDNR by calling the Water Protection Program.

REQUIREMENTS

1. The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared within 180 days and implemented within 360 days of permit issuance. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Activities, (Document number EPA 832-R-92-006) published by the United States Environmental Protection Agency (USEPA) in September 1992.

The SWPPP must include the following:

- (1) An assessment of all storm water discharges associated with wood treating operations. This must include a list of potential contaminants and an annual estimate of amounts that will be used in the described activities.
 - (2) A listing of Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter storm water.
 - (3) A narrative explaining how RCRA and CERCLA requirements for this type of operation are being met.
 - (4) A schedule for implementing the BMPs.
 - (5) A schedule for monthly site inspections and a brief written report. The inspections must include observation and evaluation of BMP effectiveness, deficiencies, and corrective measures that will be taken. Deficiencies must be corrected within seven days. Inspection reports must be kept on site with the SWPPP. These must be made available to DNR personnel upon request.
 - (6) A provision for designating an individual to be responsible for environmental matters.
 - (7) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of DNR.
2. An annual operating report must be submitted by October 28th for the period of October 1 through September 31st of the previous year (notwithstanding any reporting requirements contained in the attached "Standard Conditions"). The report shall detail any unusual occurrences such as spills, tank failures or overflows, ruptured piping, fishkills, fire fighting activities, or other upsets which resulted in any loss of product. Product includes, but is not limited to wood treating products, fuels, paints, and deicing/anti-icing chemicals. The report shall also detail any remedial work undertaken to recover product or clean up the site. The report must also indicate if nothing unusual has occurred.
 3. Collection facilities shall be provided on-site, and arrangements made for proper disposal of waste products, including but not limited to substances used to treat wood, petroleum waste products, and solvents.
 4. All fueling facilities present on-site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
 5. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
 6. All substances used to treat wood, paint, solvents, petroleum products and petroleum waste products (except fuels), shall be stored so that these materials are not exposed to storm water. Spill prevention, control, and/or management shall be provided sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 7. Outfalls must be marked in field.

REQUIREMENTS (continued)8. Water Quality Standards

- (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
- (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247

9. Report as no-discharge when a discharge does not occur during the report period.

10. This permit may be reopened and modified, or alternatively revoked and reissued, to:

- (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (2) controls any pollutant not limited in the permit.
- (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
- (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

11. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (1) One hundred micrograms per liter (100 ug/L);
 - (2) Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 5 of 7	
					PERMIT NUMBER MO-R22B000	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u>						
Flow	MGD	*		*	once/year**	24 hr. estimate
pH – Units	SU	***		***	once/year**	grab****
Total Suspended Solids	mg/L	100		70	once/year**	grab****
Biochemical Oxygen Demand ₅	mg/L	100		50	once/year**	grab****
Oil and Grease	mg/L	15		10	once/year**	grab****
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<u>Chlorophenolic & Creosote Constituents</u> (Note 1)						
Pentachlorophenol	mg/L	0.015		0.015	once/year**	grab****
2,4,6-Trichlorophenol	mg/L	*		*	once/year**	grab****
2,3,4,6-Tetrachlorophenol	mg/L	*		*	once/year**	grab****
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE _____.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)					PAGE NUMBER 6 of 7	
					PERMIT NUMBER MO-R22B000	
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Creosote Constituents</u> (Note 1)						
2-Chlorophenol	mg/L	*		*	once/year**	grab****
2,4-Dimethylphenol	mg/L	*		*	once/year**	grab****
2,4-Dinitrophenol	mg/L	*		*	once/year**	grab****
P-Chloro-M-Cresol	mg/L	*		*	once/year**	grab****
Acenaphthene	mg/L	*		*	once/year**	grab****
Acenaphthylene	mg/L	*		*	once/year**	grab****
Beno(A)Anthracene	mg/L	*		*	once/year**	grab****
Dibenzo(A,H)Anthracene	mg/L	*		*	once/year**	grab****
Benzo(A)Pyrene	mg/L	*		*	once/year**	grab****
Benzo(K)Fluoranthene	mg/L	*		*	once/year**	grab****
Chrysene	mg/L	*		*	once/year**	grab****
Fluoranthene	mg/L	*		*	once/year**	grab****
Flourene	mg/L	*		*	once/year**	grab****
Indeno(1,2,3-CD)Pyrene	mg/L	*		*	once/year**	grab****
Naphthalene	mg/L	*		*	once/year**	grab****
Phenanthrene	mg/L	*		*	once/year**	grab****
<u>Metal-based Preservative Constituents</u> (Note 1)						
Arsenic, Total Recoverable	mg/L	0.030		0.020	once/year**	grab***
Chromium, Total Recoverable	mg/L	0.017		0.011	once/year**	grab***
Copper, Total Recoverable	mg/L	0.029		0.019	once/year**	grab***
Zinc, Total Recoverable	mg/L	0.258		0.172	once/year**	grab***
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I & III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** A sample must be collected during April.
- *** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.
- **** A representative grab sample shall be taken 30 to 60 minutes after storm water discharge begins.

Note 1: (1) Chlorophenolic and Creosote Constituents - report "no discharge" for these constituents if pentachlorophenol and creosote are not used for woodtreating.
(2) Creosote Constituents - report "no discharge" for these constituents if creosote is not used for wood treating.
(3) Metal-based Preservative Constituents - report "no discharge" for metals that are not part of a metal-based compound used for woodtreating.

PERMIT TRANSFER

This permit may be transferred to a new permittee by submitting an "Application for Transfer of Operating Permit" signed by the transferor and transferee of the facility, along with the appropriate modification fee.

PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months prior to the permit's expiration date.

TERMINATION OF PERMIT

If activities covered by this permit have ceased and this permit no longer applies, the permittee shall request termination of this permit. The permittee shall submit Form H, Termination of a General Permit.

DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

FACT SHEET
General Permit

FIRMS ENGAGED IN PRIMARY PROCESSING AND MANUFACTURING
OF LUMBER AND WOOD PRODUCTS

NPDES No. MO-R22B000

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollutant Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of stormwater from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Permits in Missouri are issued by the Director of the Department of Natural Resources under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended).

State Programs have the authority to issue general permits to sources of discharge if the Director feels that the discharge is appropriately controlled by a general permit. Water discharged from wood treating operations are point sources, and consequently are subject to permit requirements. Because the discharges authorized by this permit covers facilities which: involve the same or substantially similar types of operations; discharge the same types of wastes; require the same operating conditions; or require the same monitoring; the Department has determined that under the requirements for General Permits, the discharges authorized by this permit are eligible for a general permit.

The proposed general permit is for facilities engaged in wood treating operations located within the state of Missouri. This proposed permit will allow the discharge of storm water into waters of the state. The treatment systems will vary from site to site dependent upon waste characteristics, concentration and receiving stream's standards.

The 10 CSR 20-7.031 Missouri Water Quality Standards, Missouri Department of Natural Resources (the Department) "defines the Clean Water Commission water quality objectives in terms of water uses to be maintained and the criteria to protect those uses."

The receiving stream's beneficial water uses to be maintained have been assumed to be: livestock watering, wildlife watering, and protection of aquatic life.

To protect these beneficial uses and the water quality of the receiving stream, Best Management Practices (BMPs) and the Development of a Storm Water Pollution Prevention Plan are required.

This permit will expire five (5) years from the date of issuance.